IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5641 OF 2005

Shri Yeshwant Harischandra Kambli ... Petitioner

V/s

Shri Gangaram Laxman Narkar ... Respondent

Mr. R.S. Datar with P.S. Dani for the petitioner.

None for the respondent.

CORAM: P.V. KAKADE, J.

DATED: 4TH MAY, 2006

P.C.:

1. Heard advocate for the petitioner. None present for the respondent.

2. In sister writ petition being No. 5643 of 2005 which was on similar grounds and the only difference between the two matters is that in the said earlier matter, the delay was of 162 days, whereas in the present matter the delay appears to be of 354 days. However, basically, the grounds given for seeking condonation appears to be similar and, therefore, the reasoning adopted by this Court in Writ Petition No. 5643 of 2005 can be applied mutatis-mutandis to the

present petition.

3. Under the circumstances, I am inclined to grant the petition as the delay is properly explained and as such the petition is made absolute in terms of prayer clause (a). The order dated 27.10.2004 is hereby set aside. The delay is condoned.

4. The lower appellate Court is directed to register the appeal according to law on condition that the petitioner shall donate the amount of Rs.2000/- to the State Legal Authority within four weeks from the date of this order. Condition precedent.

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